G. R. S. IX-5]

Previous references.

pdia 96-15(1-14)

1919.

(Police)

Later references.

File No. 180-20

Serial Nos. 1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for August 1920.

SUBJECT.

Procession of Brahma Devaru & other idols at Karimangala, Bowringpet Taluk.

To. K. Munisappa & Thole Kasappa

No. G. 4328 & 24.8.20.

Informs that their appeal is rejected and that their rights if any may be established in a Civil Court.

No. G. 4329 & 24.8.20

Forwards copy of the above to the Dy. Commnr., Kolar dist.

WD 2233—GPB—20,000—14-6-20

G. R.S. III-1]

1949 643

GENERAL AND REVENUE SECRETARIAT

(Police ~~Inspnal~~)

NOTES.

File No. ~~312-49~~ 180-20

FILE HEADING.

Procession of Brahma Devam and other idols at Karimangalam, Bowringpet Taluk.

From

Munigappa and certain other ryots.

No. Petition Dated Received 27-9-49

Diary No. 643 Enclos. 2 Spare Copies. – [Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeal against the Dist. magistrate's order directing that for purposes of the utsava of the said deity some order (first Brahmans, and then respt., and after that,

NOTES AND ORDERS.

The ryots be observed in the matter of making offerings of fruits etc. to the deities.

The appeal petition is only stamped.

2) The Amildar's orgl. endt. communicating the order is produced. It is seen

OTES—First Sheet.

306 3

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. ~~3/2~~ 180 of 1919

Serial No.

from the endorsement that the Dist. Magistrate's order no. C. 311 Dt 12-10-18 appealed against, which is refd. to in the Talukk endt (now produced) is dated 14th October 1918. The appeal is barred by time.

3) A opr. endt. ~~Calling for reasons~~ rejecting the appeal for the above reason, is submitted. for appl or other orders.

M
3-12-19

80
4.12.19

4) The order under appeal is an order of Dt Magistrate.

Communicated by the Asst.

5) I doubt if an appeal against such an order lies to put in the Mun. dept.

AMD
4-12-19

(Today)

6) Find out if the misdemeanor is a Municipal one and ~~with~~ on what date the endorsement was delivered to appellants. U/ 5/12/19

AMD
5-12-19

AV 5/12

NOTE—Contn. sheet.

~~642~~ 2060

G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 312 (180) of 1919

Serial No.

7) Submit with a note.
6.12.19

8) Issue U/8/12/19

2. To, Dy. Comm. Kolar.
No. 1797 dt. 12.12.19.
Requests to be informed if the temples are Inz. institns & when endowment was delivered to the appellants.

Aug

3. From, the Dy. Comm., Kolar Dist. Letter no. 315 dt. 10.4.20.
Reports that Guttahalli Channaraya Swami Temple is a Inz. institn while the temples of Immiswara and Eranna Devaru are now Inz institns, and that the exact date of the issue of the Sanad filed with the appeal petition is not known but it should have been issued some time between 14th and 26th Octr. 1918.

9) Submit proceedings.
17.4.20 19/4/20

W 5.

29.4.20

To secy)

NOTE—Contn. sheet.

Serial No.

10) The order appealed against was passed by the Dt. Magistrate. Two of the institutions in question are Non-Muzarai. The appeal may therefore be sent by the Judicial Section of the Chief Secretariat. 29/4/20

Chief Secretary

Submd.

MSCR 2914

11) The order of the Dist Magte is passed in regard to the priority of worship claimed by certain ryots of Karamangalam, Bowringpet Taluk, during the procession of Eramma Devam and other idols, setting at naught any artificial order of precedence that might have been convened and directs that the parties may be bound over for good behaviour if a breach of the ~~peace~~ peace is apprehended.

12) The appeal is barred by time. As the question relates to rights of worship, it is beyond doubt

NOTE—Contn. sheet.

Serial No.

to be decided in the Mazrai Secretariat.

13) Subd for orders.

SCB
21/6.

14) The file records shows that the matter has once before come up before Govt in the Govt D-H.T. Please put up Police file 96-1613.

AR 28/6

15) Police 96-13 is put up from which it is seen that interference of the local officers is necessary to regulate future processions & that the existing manool should not be departed from.

SCB
23/6

16) (1) Have the instructions mentioned in the G.O. of 1918 (H.T.) been adopted in the present case?

(2) Is the order appealed against passed as an Govt order under the Cr. P.C. or by the Collr as the Mazrai side?

(3) Has any evidence been recorded on the question of priority in worship to enable the matter for civil courts to determine?

17) The Supt will please put up a note on the merits of the case.

D. M.
[illegible]

Recd 17

NOTE—Contn. sheet.

(6

R. S. III-2]

General and Revenue Secretariat.

PN File No. 180 of 1920 (4695)

Serial No.

(18) Subd

(1) Yes. The mamool has been adhered to as far as practicable, please see Bavnagar Amildar's report dt 2.10.17 the proposals made in which have been accepted by the Dt Magte in passing his order no C-311 dt 12.10.18, now appealed against.

(2) It seems to be an order passed by the District Magte under the Police Regn.

(3) Yes. Please see Amedar's report dt 28.9.1914 made after taking down the statements of a number of persons. The report shows that the right of priority of worship ~~[illegible]~~ in the order ~~of~~ mentioned therein is supported by mamool.

(19) The main facts of the case are contained in the Amildar's report C, which is flagged D. (English). No question of priority in worship, which is claimed by the appellants, seems to be a matter for the civil courts to decide. On account of factions in the village each party

NOTE—Contn. sheet.

Serial No.

wants to investigate the question with all undue importance.

20) Submit for orders.

D. M. 3/8

866
8.8.20

III Member -

21) Can a conditional bar as regards precedence be imposed in the license? Please quote the section under which the license was granted.

[illegible]
6/8 D. M. 10/8

22) The section is not mentioned in the order of the Dt Magte in the vernacular file below. Kind reference is however invited to section 45 of the Police Regulation which authorises the Magistrates & other officers enumerated therein to 'regulate and control by the grant of licenses or otherwise the conduct of all .... processions'. Further in the present instance the conditions re precedence do not seem to have been intended to be incorporated in the license, separate Mutchalikas being given to the parties to conform strictly to the conditions, before the grant of the license.

Attn
10/8

T & O.

NOTE.—Contn. sheet.

G.R. S. III-2]

General and Revenue Secretariat.

Police File No. 180 of 1920 (1595)

Serial No.

Subd

23) No licence seems to have been granted under s. 45 of the Pol. Regn. The claim to priority of worship is a civil right & Magistrates are not competent to adjudicate upon it. But, incidentally they hold some inquiry and arrive at a decision to give effect to it, leaving the aggrieved party to pursue his own remedies. This seems to be the procedure usually adopted in such cases, perhaps in the interests of maintaining the public peace.

D.M. 14/8

1158 / 14.8.20

III. Member

24) The appeal may be upheld & the appellants required to be a regular suit to establish their rights.

D.M. 15/8

25) Subd. Endorsement — to the Appellants Advts

D.M. 17/8

D.M. 17/8

26) Issue

D.M. 20/8

Mr. P.S. for at 20/8

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

Rlwes File No. 180 of 1920.

Serial No.	
4	To Haramangalada Muniappa and Shoti Narasiya Haramangala, Bowringpet Tk. No 4328 Dt 24-8-20 Informs that their appeal is rejected and that their rights if any may be established in a civil court.
	To The D. M. Kolar Dt. No 4329 Dt 24-8-1920 Forwards copy of the above

NOTE.—Contn. sheet.

COURT FEE
MYSORE
TWO RUPEES

Bang Secy

9159

Power 180-20-643
20
3/2-19

IV
1/19/43

Before the Government of His Highness the Maharaja of Mysore, Bangalore.

License Appeal No. of 1919-20.

Appellants.
1. Karamangalada Muniappa
2. Thoti Narasiya
Rayats of Karamangala, Bowringpet Taluk.
} Appellants.

vs.

Sonar Nanjachari, residing in the said Karamangala Bowringpet Taluk.
} Respondent.

The appellants abovenamed beg to appeal against the order of the Deputy Commissioner No. L 311 dated 12-10-18 on the following among other grounds.—

(1) The order of the Deputy Commissioner that when the Varama Devaru and other idols are taken out of their respective temple for purposes of procession, brahmins should be first allowed

to make offerings of fruits, cocoanuts etc. to the idols, then Nanjachari (Respondent) and after him the other ryots of the village of Karamangala is not supported by custom or usage and is not in consonance with the common law.

2. The said order sets up a distinction & priority which is not justifiable under the circumstances of the case and can only lead to internal dissensions in the village. The Brahmins themselves are indifferent in the matter and do not claim any priority as stated by them before the Taluk Amildar. And there is certainly no reason why Nanjachari should be given the preferential treatment accorded to him by the Deputy Commissioner, as he has never till now enjoyed such distinction.

3. The order of the Deputy Commissioner setting up these novel and artificial distinctions is not calculated to avoid a breach of the peace which the order apparently aims at.

4. The appellants who are mainly responsible for the upkeep of the temple and among whom are the majority of the worshippers of the idols

idols should if at all be shown preference.

5. As a matter of fact, it has never been usual for any body to make offerings at the gates of the temples as the idols are being taken out, but that it has always been usual for such offerings to be made in front of each house in the street during the return procession from the Neele tree where the "Mula-Devaru" is located and after the puja and other ceremonies are performed for the procession duties. If this usage is maintained, it is calculated to do away with invidious distinction.

6. — The order of the learned Deputy Commissioner is against law and recognized usage and equity.

— The appellants therefore pray that they may be allowed to make their offerings before the respondent.

Bangalore
L.P.W. 19

Bangalore
23/9/19.

vs. Appellants

Advocates for Appellants

[illegible]

[illegible]

[illegible]

[illegible] 8.10.18 [illegible]

[illegible] 2.10.17 [illegible] 4/3 [illegible]

[illegible] 12.10.18 [illegible]

0.311 [illegible]

Amildar
14.10.18.

COURT FEE

MYSORE

TWO RUPEES

In the Court of the Government of His Highness the Maharaja of Mysore

Appeal CASE NO. OF 1919—1920.

Appellant, Plaintiff. *Respondent, ~~Defendant.~~*

Ravamangalada muniappa vs Sonar Ranga Chari.

Vs

We ....the appellants ..... above named do, by these presents (1) retain Messrs. I. Sreenivasiengar, and V. Venkatachar, B. A., B. L. Advocates, to appear in and conduct the above case on our behalf to judgment.

2. We further empower them to execute any decree or order that may be passed in our behalf and to receive from Court such sums of money as we may be entitled to get and to grant receipts therefor.

3 ...we also undertake to confirm and ratify all the legal acts done by the said Advocates in so doing.

Bangalore 23/9/19

Bangalore 23/9/19

Accepted

Advocates for appel.

Signed before us and personally known to us

Advocates.

విషయం: [illegible] R.H.C 315/19.8 తేది 19.12.19 కు సంబంధించి

జవాబు అందచేయుట గురించి

[illegible] file

[illegible] 5/20

[illegible] 31/8/20

[illegible] 31/8/20

[illegible] 23.3.20.

[illegible]

[illegible]

OFFICE OF THE DEPUTY COMMISSIONER KOLAR
9528
MAR 31 1920
General No.....

G. R. S. VI—G/32]

SUBJECT.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT
( )
, the 191 .

Date of issue 12.12.19

Signed by J. E. Jayarama Aiyar Esq.

Section Police
File No. 186-20
Serial No. 2

No. 1797 Esc petn with enc

To

The Dy. Commr,
Kolar Dist,

Sir,

I am directed to forward herewith appeal petition (with 2 encls) regd. No. 643 dt 27th Septr 1919 from Muniappa and certain other ryots of Karimanpalya in the Bowringpet Taluk about the procession of Brahma Devaru and other deities at the place, and to request to be informed if the temples of Brahma Devaru and other deities referred to in the petition are muzrai institns

[illegible] on what date the
endorsement dt 14-10-1918 issued by
[illegible] the Bowringpet
Munsif office filed with
the appeal petition,
was delivered to applts.

I have etc
[illegible]
My secretary,
[illegible] Dept
[illegible]
6/10/19

List of enclosures.

Copied by

Examined by

WD 1744—GPB—30,000—19-3-19

Office of the Deputy Commissioner, Kolar District.

Dated Kolar, the 9th April 1920.

4695

29 APR 1920

Rlxes 680-no-3

From

Md. Zahiruddin Mecci, Esquire, B.A.,
Deputy Commissioner, Kolar District.

To

T. E. Jayarama Iyer, Esquire, B.A., B.L.,
Secretary to the Government of Mysore,
Muzrai Department, Bangalore.

Sir,

Adverting to your letter No: 1797/Muz:312-19-2 dated 12th December 1919, I have the honor to state that it is reported by the Amildar of Bowringpet that Sri Channarayaswami temple at Guttahalli is a Muzrai Institution while Muniswara Devaru and Eranna Devaru temples at Karamangala are not Muzrai Institutions and that the endorsement to the petitioners must have been issued some time between the 14th and the 26th October 1918 on which latter date a copy of the same endorsement was issued to the opposite party Subbarayachari, as can be seen from the acknowledgment on the original endorsement filed with the records. The exact date on which the endorsement referred to was issued is not clear from the records.

I have the honor to be,
Sir,
Your most obedient servant,

Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.
(absent from station.)

2060

1/9.20

Mur

312-19

3

From

The Deputy Commissioner,
Kolar District.

276 9

To

The Secretary to the Government
of Mysore, Muzrai Department,
Bangalore.

Dated the 9th April 1920.

Despatched 10.4.20

Received 12 APR 1920

General No. Rte 315/4.20

No.

Enclosure No. one fol

Furnishing information as to which of the temples at Karamangala in the Bowringpet Taluk are Muzrai Institutions &c.

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av
14/4.20

G.R.S.-26]

File No. 180-
Serial No. 6

Diary No. of letter replied to 19695

No. 64328

General and Revenue Secretariat
( )
, the 19

To

Karamangalada Munipappa
& Thoti Narsiga
Karamangala, Bowringpet taluk

Date of issue

Signed by

With reference to their petition of 27 September 1919 appealing against the order of the Dist Magistrate, Kolar in the matter of the procession of Eranna Swamy & other idols, the petitioners are informed that their appeal is rejected and that their rights if any may be established in a Civil Court if need.

By order

D. M.

memo no 64329 (Rev)

for the Secy

copy of the above is forwarded with over.

SUBJECT. Compliment to the D.M. Chittoor

Sd. It was Kolar Dt. 2 with reference this letter no. R.O.6. 315/19-20 of 10th April 1920

D. M.

The record recd with the above letter is also returned.

D. M.

for the Secy